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TO: Commissioner of Patents
FAX NO.: 571-273-8300
FROM: Kin-Wah Tong, Esq.
DATE: May 16, 2008
MATTER: Serial No. 10/768,563 Filed: January 30, 2004
DOCKET NO.: YOR920040007US1
APPLICANT: Das, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input checked="" type="checkbox"/> Preliminary Amendment	<input checked="" type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
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Kin-Wah Tong
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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/768,563
	Filing Date	January 30, 2004
	First Named Inventor	Das, et al.
	Art Unit	2195
	Examiner Name	Kenneth Tang
Total Number of Pages in This Submission	Attorney Docket Number	YOR920040007US1

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Transmission
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Patterson & Sheridan, LLP		
Signature			
Printed Name	Kin-Wah Tong, Esq.		
Date	May 16, 2008	Reg. No.	39,400

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Kin-Wah Tong	Date	May 16, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (09-04)

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Firm	Patterson & Sheridan, LLP		
Signature			
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PATENT
Atty. Dkt. No. YOR920040007US1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DAS, et al

Serial No.: 10/768,563

Filed: January 30, 2004

For: **METHOD AND APPARATUS FOR
UTILITY-BASED DYNAMIC
RESOURCE ALLOCATION IN A
DISTRIBUTED COMPUTER
SYSTEM**

www.pearsoned.com

Group Art Unit: 2195

Examiner: Kenneth Tang

Confirmation No.: 6337

CERTIFICATE OF TRANSMISSION under 37 CFR 1.8

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on: May 16, 2008.

Date _____

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRELIMINARY AMENDMENT

Prior to examination, please amend the above-identified patent application as follows. Although the Applicants believe that no fee is due in connection with this amendment, the Commissioner is hereby authorized to charge Counsel's Deposit Account No. 20-0782/YOR920040007US1 for any fees, including extension of time or excess claim fees, required to make this response timely and acceptable to the Office.